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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VIOLET BLUE, an individual,

**Case No.: C 07-5370 MJJ**

Plaintiffs,

vs.

ADA MAE JOHNSON et al.,

**DEFENDANT WOOFINDEN'S  
FED. R. CIV. P. 26(a) INITIAL  
DISCLOSURES**

## Defendants.

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant Ada Mae Woofinden nee Johnson, aka “Violet” aka “Violet Blue” (“VIOLET BLUE”) submits her Initial Disclosures to Plaintiff Violet Blue aka Wendy Sullivan Blue (“SULLIVAN-BLUE”). These disclosures are based solely upon information reasonably available to VIOLET BLUE as of the date of these disclosures. Accordingly, VIOLET BLUE reserves the right to add or otherwise amend these disclosures as necessary pursuant to Fed. R. Civ. P. 26(e).

**(1)(A) the name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing**

1 **party may use to support its claims or defenses, unless solely for**  
 2 **impeachment, identifying the subjects of the information;**

3       1.     Ada Mae Woofinden nee Johnson, aka "Violet," aka "Violet Blue,"  
 4 c/o Robert S. Apgood, CarpeLaw PLLC, 2400 NW 80<sup>th</sup> Street #130, Seattle,  
 5 Washington, 98117-4449, Tel: 206-624-2379. Ms. Woofinden can testify from  
 6 personal knowledge Defendant Woofinden's use of the stage name, "Violet Blue,"  
 7 the time periods in which the name was used, research into possible uses of the  
 8 name by others prior to use of that name by Defendant Woofinden since as early as  
 9 July 1999, and Defendant Woofinden's intent for use of that stage name.

10       2.     Plaintiff SULLIVAN-BLUE, c/o Colette Vogeles, Esq., Vogeles &  
 11 Associates, 580 California Street Suite 1600, San Francisco, CA 94104, Tel: 415-  
 12 751-5737. Plaintiff SULLIVAN-BLUE will be able to testify as to the time  
 13 periods in which she used the name, "Violet Blue," and as to the dates when she  
 14 allegedly sought and received a lawful name change. Plaintiff SULLIVAN-BLUE  
 15 can also testify as to when she first learned of Defendant VIOLET BLUE's use of  
 16 the stage name, "Violet Blue" and why she only recently sought to deny Defendant  
 17 VIOLET BLUE's use of her stage name.

18       3.     Fed. R. Civ. P. 30(b)(6) representative for Assassin Pictures, Inc. dba  
 19 AssassinCash, 21110 Nordhoff St., Suite I, Chatsworth, CA 91311, Tel: 818-534-  
 20 8289. This witness can provide information about Defendant Woofinden's Web  
 21 site.

22       4.     Fed. R. Civ. P. 30(b)(6) representative for Five Star Video, L.C.,  
 23 21110 Nordhoff St., Suite I, Chatsworth, CA 91311, Tel: 818-534-8289. This  
 24 witness can provide information about Defendant Woofinden's Web site.

1       5.     Bill Fox, 18912 San Bernadino Avenue, Bloomington, CA 92316,  
 2 Tel: 909-208-0618. Mr. Fox can testify to operational aspects and hosting of the  
 3 Web site located at <http://www.violetblue.org>.

4       6.     Sabrina Model-Carlberg, 461 Cypress Avenue, San Bruno, CA 94066,  
 5 Tel: 650-533-5849. Ms. Model-Carlberg can testify as to the circumstances  
 6 surrounding Defendant VIOLET BLUE's styling her hair in a manner reminiscent  
 7 of that of the famous model and performer, Betty Page.

8       7.     David Claiborne, c/o Robert S. Apgood, CarpeLaw PLLC, 2400 NW  
 9 80<sup>th</sup> Street #130, Seattle, Washington, 98117-4449, Tel: 206-624-2379. Mr.  
 10 Claiborne can testify as to the history of and circumstances surrounding the design  
 11 and maintenance of the Web site located at <http://www.violetblue.org>.

12       8.     Fed. R. Civ. P. 30(b)(6) representative for AVN Media Network aka  
 13 AVN Online, 9414 Eton Ave., Chatsworth, California 91311, Tel: 818-718-5788.  
 14 This representative can testify to the general knowledge in the adult entertainment  
 15 industry of the identity and notoriety of Defendant VIOLET BLUE, and to the  
 16 circumstances of Defendant VIOLET BLUE being awarded the January 2001  
 17 "Best New Starlet" award by AVN Media Network.

18       9.     All persons identified in Defendant VIOLET BLUE's initial  
 19 disclosures and fact witness lists, including all supplements and amendments  
 20 thereto, and any documents or exhibits produced by Defendant VIOLET BLUE.

21       10.    All persons identified in Plaintiff SULLIVAN-BLUE's initial  
 22 disclosures and fact witness lists, including all supplements and amendments  
 23 thereto, and any documents or exhibits produced by Plaintiff SULLIVAN-BLUE.

24       11.    All persons necessary to lay foundation for or to authenticate any  
 25 documents produced by Defendant VIOLET BLUE.

1       12. All persons necessary to lay foundation for or to authenticate any  
2 exhibits in this case.

3       13. All persons identified, examined, or referenced in any deposition or  
4 declaration in this case.

5

6       **(1)(B) a copy of, or a description by category and location of, all**  
7 **documents, data compilations, and tangible things that are in the possession,**  
8 **custody, or control of the party and that the disclosing party may use to**  
9 **support its claims or defenses, unless solely for impeachment;**

10      Defendant VIOLET BLUE reserves the right to object to the production or  
11 admission into evidence of any document, data compilation, or tangible thing on  
12 any basis permitted by the Federal Rules of Civil Procedure, Federal Rules of  
13 Evidence, or applicable local rules.

14      1. Copies of video covers showing Defendant VIOLET BLUE's open  
15 and notorious use of her stage name as early as July 1999.

16      2. Copies of the Internet Movie Database (IMDB) enumeration and  
17 descriptions of the more than 165 movies in which Defendant VIOLET BLUE  
18 appeared under her stage name and real name  
19 <<http://www.imdb.com/name/nm1013326/>>.

20      3. Marketing and other promotional materials that display Defendant  
21 VIOLET BLUE's open and notorious use of her stage name.

22      These documents, data compilations, and tangible things will be made  
23 available for inspection and copying by Plaintiff at a date, time and place mutually  
24 agreeable to the parties.

25      Defendant VIOLET BLUE acknowledges its obligation to supplement these  
26 documents as required by Fed. R. Civ. P. 26.

1  
 2       **(1)(C) a computation of any category of damages claimed by the**  
 3 **disclosing party, making available for inspection and copying as under Rule**  
 4 **34 the documents or other evidentiary material, not privileged or protected**  
 5 **from disclosure, on which such computation is based, including materials**  
 6 **bearing on the nature and extent of injuries suffered;**

7       Damages to be computed at trial by jury. Damages shall significantly be  
 8 based on costs and attorneys' fees that shall accrue on an hourly basis during the  
 9 pendency of litigation. Any document identified above may be used to support a  
 10 claim of damage. All documentation is available for copy and inspection at the  
 11 offices of counsel for the Defendant upon reasonable notice.

12  
 13       **(1)(D) for inspection and copying as under Rule 34 any insurance**  
 14 **agreement under which any person carrying on an insurance business may be**  
 15 **liable to satisfy part or all of a judgment which may be entered in the action**  
 16 **or to indemnify or reimburse for payments made to satisfy the judgment;**

17       Inapplicable

18  
 19       **(2)(A) In addition to the disclosures required by paragraph (1), a party**  
 20 **shall disclose to other parties the identity of any person who may be used at**  
 21 **trial to present evidence under Rules 702, 703 or 705 of the Federal Rules of**  
 22 **Evidence;**

23       Though Defendant has not retained such person or persons as of the date of  
 24 this reply, Defendant reserves the right to do so.

The Defendant respectfully submits the foregoing mandatory disclosures under Rule 26(a)(1) & (2) of the Federal Rules of Civil Procedure and shall update and supplement said disclosures when and if required to do so.

DATED THIS 24th day of January 2008.

Respectfully submitted,

## CARPELAW PLLC

*/s/ Robert S. Apgood*

Robert S. Apgood, *Pro Hac Vice*  
WSBA #31023

Attorney for Defendant Ada Mae Woofinden

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DEFENDANT WOOFINDEN'S FED. R. CIV. P. 26(a)  
INITIAL DISCLOSURES - 6

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## DECLARATION OF SERVICE

I, Robert S. Apgood, hereby make the following Declaration from personal knowledge that on January 21, 2008, I served the foregoing

1. Defendant Woofinden's Fed. R. Civ. P. 26(a) Initial Disclosures; and
2. this certificate of Service

on the following attorneys by transmitting an electronic version thereof, by transmitting a facsimile thereof, and by depositing a copy thereof in the U.S. Mail, postage prepaid:

Collette Vogeles  
Benjamin Costa  
Vogeles & Associates  
580 California Street  
Suite 1600  
San Francisco, CA 94104

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED this 24<sup>th</sup> of January 2008 at Seattle, Washington.

## CARPELAW PLLC

s/ Robert S. Apgood  
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